

pany, to maintain or construct dams or sluices extending beyond the centre of the channel of the Mississippi river from the western bank of Henepiu Island, and said St. Anthony Falls Water Power Company are hereby restricted in the exercise of powers and privileges granted by the ninth section of said act to the space between the western bank of said Island and the center of said river; Provided, the said dams shall always be provided with suitable slides and sluices, so as to admit the passage of logs and timber down the Mississippi river, and that any future Legislature may amend or modify this act or the act to which this section is amendatory, and provided further, that the Minneapolis Mill Company shall be restricted in its operations to the centre of the main channel of the Mississippi river and to the property belonging to said company.

CHARLES GARDNER.

Speaker of the House of Representatives.

JOHN B. BRISBIN,

President of the Council.

APPROVED—February twenty-seventh, one thousand eight hundred and fifty-six.

W. A. GORMAN.

I hereby certify the foregoing to be a correct copy of the original bill on file in this office.

J. TRAVIS ROSSER,

Secretary of Minnesota Territory.

CHAPTER CXLVI.

An Act to Incorporate the Town of Little Falls West, and for other purposes.

- SECTION 1. Incorporation of Little Falls West.
2. Elect officers.
 3. Choose judges and clerk of election.
 4. Take oath.
 5. Created body corporate.
 6. Duty of officers.
 7. Power to fill vacancies.
 8. Power to make laws.
 9. Make out receipts and expenditures.
 10. Improve streets.
 11. Assess tax.
 12. Collecting taxes.
 13. Deliver up books.
 14. Town council to enter lands.
 15. Lands to be surveyed and laid out into lots.
 16. Town council to deed lots.
 17. Town council authorized to assess tax upon lots.
 18. Plat of lands to be recorded.
 19. Town council may survey and record land.
 20. When to take effect.

Be it enacted by the Legislative Assembly of the Territory of Minnesota :

SECTION 1. That so much land as is contained in the claim of Calvin Corporation
A. Tuttle, William Sturgis and James Fergus, on the west side of the Mis- limits

Mississippi, opposite the town of Little Falls, not exceeding three hundred and twenty acres, be, and the same is hereby created a town corporate by the name of Little Falls West.

Election

SEC. 2. That for the good order and government of said town, it shall be lawful for the male inhabitants thereof, having the qualifications of electors of the Legislative Assembly of the Territory of Minnesota, to meet at the place of holding the last general election in the town of Little Falls, on the first Wednesday of July next, and at the same time annually thereafter, at such places in said town as the town council may direct, and then and there proceed by ballot to elect one President, one Recorder and three Trustees, being householders of said town, and having the qualifications of electors as aforesaid, who shall hold their offices one year and until their successors shall be elected and qualified, shall constitute the town council of said town; any three of whom shall constitute a quorum for the transaction of business pertaining to their duties. But until the aforesaid officers are elected and qualified, Calvin A. Tattle, James Fergus and Wm. Sturgis, are hereby appointed Trustees who shall appoint a President and Recorder, and shall have full power and authority to do and transact all business as town council.

Judges & Clerk

SEC. 3. At the first election to be holden under this act, there shall be chosen viva voce by the electors present at the time for opening the polls on the day for holding said first election, two judges, and a clerk of said election, who shall take an oath or affirmation faithfully to discharge the duties required by this act, and at subsequent elections the Trustees, or any two of them, shall be judges, and the Recorder, or in his absence, some person to be appointed by the judges, shall be clerk. The polls shall be opened between the hours of ten and eleven o'clock in the forenoon, and close at four o'clock in the afternoon of said day; and at the close of the polls the votes shall be counted, and a true statement thereof proclaimed to the voters present by one of the judges, and the clerk shall make a true record thereof, and within five days thereafter, he shall give notice to the persons so elected of their election; and it shall be the duty of the said town council, at least ten days before each and every election, to give notice of the same by setting up advertisements at three of the most public places in said town.

Take oath

SEC. 4. Each member of said town council, before entering upon the duties of his office, shall take an oath or affirmation to support the constitution of the United States, and also an oath of office.

Created body corporate

SEC. 5. The President, Recorder and Trustees of said town shall be and are hereby created a body corporate and politic, with perpetual succession, to be known and distinguished by the name and style of "The Town of Little Falls West," and shall be capable in law by their corporate name aforesaid, to acquire property, real, personal and mixed, for the use of said town, and may sell and convey the same at pleasure. They may have a common seal, which they may break, alter or renew at pleasure. They may sue and be sued, plead and be impleaded, defend and be defended in all manner of actions in all courts of law and equity; and when any suit shall be commenced against said corporation, the first process shall be served by an attested copy thereof, left with the Recorder, or at his usual place of residence, at least six days previous to the return day of such process.

Who shall preside

SEC. 6. The President, and in his absence, the Recorder, shall preside at all meetings of the town council; and the Recorder shall attend all meetings of the town council, and make a fair and accurate record of all

their proceedings, and of the by-laws, rules and ordinances made or passed by the common council aforesaid, and the same shall at all times be open for inspection of the electors of said town; but in case of the absence or inability of the Recorder, the Trustees may appoint one of their body clerk, pro tempore.

Sec. 7. The town council shall have power to fill all vacancies which ^{Fill vacancies} may happen in said board, from the householders who are qualified voters of said town, who shall hold their appointments until the next annual election, and until successors shall be elected and qualified; and in the absence of the President and Recorder from any meeting of the town council, the Trustees shall have power to appoint any two of their number to perform the duties of President and Recorder for the time being.

Sec. 8. The said town council shall have power to make, ordain and ^{By-laws} establish by-laws, ordinances, rules and regulations for the government of said town; and the same to alter, amend or repeal at pleasure, to provide in such by-laws for the appointment or election of a Treasurer, town Marshal, and all the subordinate officers, which they may think necessary for the good government and well being of said town; to prescribe their duties and determine the period of their appointment, and the fees they shall be entitled to receive for their respective services, when the same is not otherwise provided for by this act, and to require of them to take an oath of office previous to entering upon the duties of their respective offices, and may further require of them a bond with security conditioned for the faithful performance of their respective offices. The town council shall also have power to fix to the violations of the by-laws and ordinances of the corporation, reasonable fines and penalties: Provided, That such by-laws and ordinances be not inconsistent with the constitution and laws of the United States, or of this Territory. And provided, also, that no by-laws or ordinances of said corporation shall take effect or be in force until the same shall have been posted up at least ten days in one of the most public places in said town, and the certificate of the Recorder entered upon the record of said town council, shall be deemed and taken to be sufficient evidence of such publication.

Sec. 9. The town council shall, at the expiration of each and every ^{Receipts and expenditures} year, cause to be made out and posted up as aforesaid, the receipts and expenditures of the preceding year.

Sec. 10. The town council shall have power to regulate and improve ^{Improve streets} the levees, streets and alleys, and determine the width of side-walks in said town; to regulate the public grounds, to erect a new market house, and regulate the markets, to remove all nuisances and obstructions from the streets and commons of said town, and do all things which similar corporations have power to do, in order to provide for and secure health, cleanliness and good order in said town.

Sec. 11. For the purpose of more effectually enabling the said town ^{Assess tax.} council to carry into effect the provisions of this act, they are hereby authorized and empowered to assess a tax for corporation purposes, upon the property within the limits of said corporation, made taxable by the laws of this Territory, so that said tax shall not exceed in any one year, five mills on the dollar of valuation, as the same may be found on the books of the county commissioners of the county within which said town may be located at the time of assessing said tax. The town shall also have power if authorized to do so by a majority of all the electors in said town, at any meeting called for that purpose, to levy an additional tax as above specified, sufficient to organize and establish a fire company, and purchase an

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engine, hose and other necessary apparatus for the extinguishment of fires in said town; public notice of which meeting and the object thereof, shall be given by posting up a written or printed notice thereof, in at least three of the most public places in said town, ten days before the time of such meeting.

Collect taxes

SEC. 12. When any tax is levied, it shall be the duty of the Recorder to make out a duplicate of the taxes, charging each individual owning property in said corporation with the amount assessed on each item of property, as found on the books of the County Commissioners of said county, which duplicate shall be certified by the President and Recorder, and one copy thereof shall be placed in the hands of the Marshal, or such other person as shall be appointed collector, whose duty it shall be to collect said tax, in the same manner, and under the same regulations as other county taxes are collected; and the said Marshal, or such other person as shall be appointed collector, shall, immediately after collecting said tax, pay the same over to the treasurer of said corporation, and take his receipt therefor; and the said Marshal or other collector, shall have the same power to sell both real and personal property for the non-payment of the corporation taxes as is given to the county collector; and when necessary, the Recorder shall have power to make deeds in the same manner that sheriffs do; and the Marshal or other collector shall receive for his fees such sum as the town council may direct, not exceeding six per centum on all the moneys so by him collected, to be paid by the Treasurer on the order of the Recorder.

Deliver up books

SEC. 13. The President, Recorder or other officers of said corporation shall, on demand, deliver to their successors in office, all such books and other property, as appertain in any wise to said corporation.

Enter lands

SEC. 14. It shall be the duty of the common council of said town to enter on such land within the corporate limits of said town, as can be entered under the provisions of the act of Congress, entitled "An act for the relief of the citizens of towns upon the lands of the United States under certain circumstances, approved May 23, 1844."

Survey lands

SEC. 15. It shall be the duty of the said town council, as soon as practicable, to cause three hundred and twenty acres of the land within the corporate limits of said town to be surveyed and laid out into squares, and lots, and streets, and alleys, in such manner as said town council may deem proper, and to authorize such improvements to be made on such streets or alleys, or any of them, as said council may deem necessary.

Deed lots

SEC. 16. It shall be the duty of said town council, as soon as the title to said lands shall be obtained under the provisions of said act of Congress aforesaid, to ascertain the number of persons entitled to lots or squares within the said town, who may have valid right, either by an original claim, or by transfer from any person or persons having made an original claim to said lands, and to deed under the hand of the President, and attested by the Recorder, and sealed with the seal of the said corporation, to every such person entitled as aforesaid, the lots or squares of land to which every such person may be entitled as aforesaid; Provided, that no street or alley shall be so deeded; and provided also, that any person or persons to whom lots or squares shall be deeded as aforesaid, shall previously have paid to the Treasurer or Recorder of said town, at the rate of two dollars per acre for all lots or squares so deeded.

Assess tax

SEC. 17. The town council of said town are authorized to assess a tax not exceeding one dollar on each lot in said town, immediately after said survey as aforesaid, to defray the expenses of said survey, and of any

improvement on any of the streets or alleys, or levees in said town, which the said council ordain to be made, and said tax shall be collected by the Treasurer or Recorder, as the said council shall direct, and all lots on which said tax shall not be paid within three months from the date of said assessment shall be deemed to be the property of the said town, and shall not be deeded by said council until said tax with interest at the rate of twenty per cent per annum from date of assessment shall have been paid. Provided, that after the expiration of three years the said council may order such lot or lots to be sold, to the highest bidder, and in no case shall such lot or lots thereafter be subject to redemption.

SEC. 18. It shall be the duty of the town council to cause a plat of said survey, as aforesaid, to be recorded in the office of the Register of Deeds of the county wherein said town shall be located, in conformity to the provisions of the statute authorizing the record of town plots in this Territory. Record plat of survey

SEC. 19. The town council may at any time cause the survey and record, in like manner, of all the land within the corporate limits. Provided, that no survey shall be made within said corporate limits without the consent of the claimant thereto, if such lands had been regularly claimed previous to the passage of this act. Right to make survey

SEC. 20. This act shall take effect and be in force from and after its passage. Take effect

CHARLES GARDNER,
Speaker of the House of Representatives.
JOHN B. BRISBIN,
President of the Council.

APPROVED—March first, one thousand eight hundred and fifty-six.

W. A. GORMAN.

I hereby certify the foregoing to be a correct copy of the original bill on file in my office.

J. TRAVIS ROSSER,
Secretary of Minnesota Territory.

CHAPTER CXLVII.

An Act entitled an Act to Incorporate the Cannon Falls Manufacturing Company.

- SECTION 1. Names of corporators; created body corporate.
2. Officers, of what to consist.
 3. Term of office; first meeting, by whom and when called.
 4. Not to dissolve corporation, if election is not held.
 5. Elect agents; execute power of attorney.
 6. Amount of capital stock.
 7. Relative to taxation.
 8. Stockholders personally liable for debts of Company.
 9. Construct and maintain dams.
 10. Property of Cannon Falls Company to belong to the corporation.
 11. Cannon Falls Company dissolved.
 12. When to take effect.

Be it enacted by the Legislative Assembly of the Territory of Minnesota :

SECTION 1. That William Freeborn, Benjamin F. Hoyt, Joseph Dan-